

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

TIMOTHY WADE RHODES,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:08-cv-00004-MEF
)	
MONTGOMERY COUNTY SHERIFF'S)	
DEPARTMENT,)	
)	
Defendant.)	

ORDER

On January 24, 2008, the Magistrate Judge filed a Recommendation (Doc. #7) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. This case is DISMISSED prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

DONE this the 13th day of February, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE